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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT SEATTLE

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 VOLODYMYR KVASHUK,

10 Defendant.

CASE NO. CR19-0143JLR

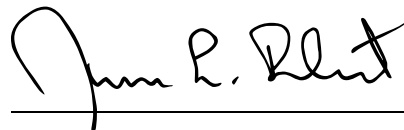
ORDER

11 Defendant Volodymyr Kvashuk has moved this Court to continue his trial for not  
12 less than sixty days, without opposition from the Government. Mot. Cont. Trial, ECF No.  
13 74. After careful consideration, the motion is GRANTED in part. This Court finds that  
14 Mr. Kvashuk was arraigned on December 9, 2019, on the Second Superseding Indictment  
15 (ECF No. 61); the trial currently is scheduled for January 6, 2020; and although this is  
16 Mr. Kvashuk's second request for a continuance, circumstances have arisen in the normal  
17 course of the proceedings related to new charges in the latest indictment and additional  
18 voluminous discovery that the Government promptly disclosed to him on December 6,  
19 2019, that require a continuance. This Court specifically adopts the factual assertions in  
20 Mr. Kvashuk's unopposed Motion to Continue Trial (ECF No. 74) as the basis for this  
21 continuance and its justification pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et*  
22 *seq.*

1 Therefore, pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by  
2 continuing this trial outweigh the best interest of the public and Mr. Kvashuk in a speedy  
3 trial. This Court further finds that, pursuant to 18 U.S.C. § 3161(h)(7)(B)(i), its refusal to  
4 grant the continuance would result in a miscarriage of justice; that, pursuant to 18 U.S.C.  
5 § 3161(h)(7)(B)(ii), it is unreasonable to expect Mr. Kvashuk's attorneys to prepare  
6 adequately for trial in the time limits that the Speedy Trial Act imposes; and that,  
7 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), its refusal to grant the continuance would  
8 deny the attorneys for the parties the reasonable time necessary for effective trial  
9 preparation, considering their due diligence. The trial is rescheduled for February 18,  
10 2020; pretrial motions and motions in limine pertaining to the recently disclosed evidence  
11 are due on or before January 9, 2020; and the period of time from the date of this order to  
12 the new trial date of February 18, 2020, is excluded from the calculation of time in which  
13 a trial must commence pursuant to 18 U.S.C. § 3161, *et seq.*

14 The court also sets the following pretrial deadlines: proposed jury instructions and  
15 trial briefs are due February 7, 2020. Motions contained in trial briefs will not be  
16 considered. The pretrial conference is set for February 3, 2020, at 4:30 p.m. Out-of-  
17 district counsel may participate by phone.

18 Dated this 19th day of December, 2019.

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20 

21 The Honorable James L. Robart  
22 U.S. District Court Judge